A

REPRESENTATION

FROM HIS EXCELLENCIE

S[r]. *THOMAS FAIRFAX*,

And the Army under his command,

Humbly tendered to the

PARLIAMENT:

Concerning the juſt and fundamentall Rights and Liberties of themſelves and the Kingdome, with ſome humble propoſals and deſires in order thereunto, and for ſettling the Peace of the Kingdome.

S[t]. *Albanes*, June 14. 1647.

By the appointment of his Excellency Sir THOMAS FAIRFAX, *with the Officers and Souldiery under his Command.* J. Ruſhworth, *Secretary.*

CAMBRIDGE:

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THat we may no longer be the diſ-ſatisfaction of our friends, the ſubject of our enemies malice (to work jealouſies and miſrepreſentations upon,) and the ſuſpicion, if not aaſtoniſhment, of many in the Kingdome, in our late or preſent tranſactions and conduct of buſineſſe; we ſhall in all faithfulneſſe and clearneſſe profeſſe and declare unto you, thoſe things which have of late protracted and hindered our disbanding; the preſent grievances which poſſeſſe our Army, and are yet unremedied; with our deſires as to the complete ſettlement of the liberties and peace of the Kingdome, which is that bleſſing of God, then which, of all worldly things nothing is more dear unto us, or more precious in our thoughts, we having hitherto thought all our preſent enjoyments (whether of life, or livelihood, or neareſt relations) a price but ſufficient to the purchaſe of ſo rich a bleſſing; that we and all the free-born people of this Nation, may ſit down in quiet under our vines, and under the glorious adminiſtration of Juſtice and righteouſneſſe, and in full poſſeſſion of thoſe fundamentall rights and liberties, without which we can have little hopes (as to humane conſiderations) to enjoy either any comfort of life, or ſo much as life it ſelf, but at the pleaſures of ſome men, ruling merely according to will and power. It cannot be unknown what hath paſſed betwixt the Parliament and the Army, as to the ſervice of Ireland; By all wch together with the late proceedings againſt the Army, in relation to their petitions and grievances, all men may judge what hath hindered the Army from a ready ingagement in that ſervice,

vice, and (without further account or apology, as to that particular) then what those passages and proceedings themselves (already made publick) do afford; We do appeal to all men, whether those courses to which the Parliament hath (by the designes and practice of some) been drawn, have rationally tended to induce a chearfull and unanimous undertaking of the Army, as to that service, or rather to break and pull the Army in pieces, with discontents and dishonour; and to put such dis-obligations and provocations upon it, as might drive it into distemper, and indeed discourage both this Army and other souldiers, from any further ingagement in the Parliament service. And we wish all men would, with us, upon the whole carriage seriously consider, Whether in the intentions of those who have by false informations and mis-representations, put the Parliament upon such wayes, the timely and effectuall relief of Ireland, seem really to have been intended; or rather (with the breaking and disbanding of this Army) to draw together, or raise such other forces, and of such a temper, as might serve to some desperate and destructive designes in England: For which (besides the probable suspicions from their carriage of the businesse) we have before-hand in the transaction thereof, had more then hints of such a designe, by clear expressions to that purpose from many of those Officers of the Army, that have been perswaded, and appeared most forward to engage for Ireland on the terms proposed: And that such a designe hath all along been driven, seems now too evident, by the present disposing of those forces that have been engaged (as for Ireland) by the endeavours of some, to gain a power from the Parliament of ordering the same for some service in England; and by the private listings of men for service here, without any publick authority of Parliament; and all this by the same persons who have all along appeared most active and violent in the late proceedings against the Army.

As to the juſt diſcontents and diſ-ſatisfactions of the Army, in relation to their grievances, and their non-compliance to the late Orders for ſudden disbanding by piece-meal, before more full and equall ſatisfaction were given to the whole; We deſire you to look back to the papers already publiſhed of the grievances themſelves, the Narrative of the Officers, and to the later papers from the Generall Councel of Warre at *Bury*, and from the late Generall Rendezvouz laſt week near *Newmarket*: And (we think) the Parliaments late reſuming the Conſideration of thoſe things (as to a further ſatisfaction) doth much juſtifie the deſires and proceedings of the Army, in thoſe paſt particulars hitherto.

And though (had we upon our firſt addreſſes) for our undoubted rights and dues, found a free and candid reception, with a juſt conſideration and reaſonable ſatisfaction; or at leaſt an ingenuous anſwer therein, we ſhould have been eaſily perſwaded to have abated, or forborn much of our dues, and not to have inquired into or conſidered (ſo far as we have) either the poſſibilities there are for more preſent ſatisfaction of Arrears, or the credit of future ſecurities propoſed; Yet ſince upon thoſe former addreſſes, we have found ſuch unworthy dealing, as in the ſaid papers is ſet forth; and thoſe additionall (though hitherto but partiall) ſatisfactions coming ſo hardly as they have; We find no obliging reaſons, in the leaſt, to decline or recede from what's our due, but rather ſtill to adhere unto our deſires, of full and equall ſatisfaction, in all the things mentioned in the aforeſaid papers, not onely in behalf of our ſelves and the Army, but alſo of the whole ſouldiery throughout the Kingdome, who have concurred or ſhall concurre with us in the ſame deſires, and to all our former deſires. As ſouldiers we cannot but adde this (wherein we find our ſelves ſo nearly concerned in point of juſtice and reputation) that more care, and a ſtricter courſe may be taken, for making good all Articles granted upon

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ſurrenders, according to the true intent and meaning of them; as alſo for remedy and reparation in caſe of any Breach (and this) without thoſe delayes which divers have found as prejudiciall, or more, then if they had been totally denied the performance of them.

Nor will it now (we hope) ſeem ſtrange or unſeaſonable to rationall and honeſt men, who conſider the conſequence of our preſent caſe to their own and the Kingdomes, as well as our future concernments in point of right, freedome, peace and ſafety, if (from a deep ſenſe of the high conſequence of our preſent caſe, both to our ſelves in future and all other people) we ſhall before disbanding proceed in our own and the Kingdomes behalf, to propound and plead for ſome proviſion for our and the Kingdomes ſatisfaction, and future ſecurity in relation to thoſe things, eſpecially conſidering that we were not a mere mercenary Army, hired to ſerve any Arbitrary power of a ſtate, but called forth, and conjured by the ſeverall Declarations of Parliament to the defence of our own and the peoples juſt rights and liberties, and ſo we took up Arms in judgement and conſcience to thoſe ends, and have ſo continued them, and are reſolved, according to your firſt juſt deſires in your Declarations, and ſuch principles as we have received from your frequent informations, and our own common ſenſe, concerning theſe our fundamentall rights and liberties, to aſſert and vindicate the juſt power and rights of this Kingdome in Parliaments, for thoſe common ends premiſed, againſt all arbitrary power, violence and oppreſſion and all particular parties and intereſts whatſoever, the ſaid Declarations ſtill directing us to the Equitable ſenſe of all Laws and Conſtitutions, as diſpenſing with the very letter of the ſame, and being ſupreme to it, when the ſafety and preſervation of all is concerned, and aſſuring us that all authority is fundamentally ſeated in the office, and but miniſterially in the perſons, neither do or will theſe

our proceedings (as we are fully and in conſcience perſwaded) amount to any thing unwarrantable before God and men, being thus far much ſhort of the common proceedings in other Nations to things of an higher nature then we have yet appeared to: And we cannot but be ſenſible of the great complaints that have been made to us generally in the Kingdome from the people, where we march, of Arbitrarineſſe and Injuſtice to their great and inſupportable oppreſſions.

And truely ſuch Kingdomes as have according both to the law of Nature and Nations, appeared to the Vindications and defences of their juſt rights and liberties, have proceeded much higher: as our Brethren of Scotland, who in the firſt beginning of theſe late differences, aſſociated in Covenant from the very ſame principles and grounds, having no viſible form either of Parliament or King to countenance them: And as they were therein juſtified, and protected by their Owne, and this Kingdome alſo, ſo we juſtly ſhall expect to be.

We need not mention the States of the Netherlands, the Portugals, and others, all proceeding upon the ſame Principles of Right and Freedome: And accordingly the Parliament hath declared it no reſiſtance of Magiſtracy, to ſide with the juſt principles of Law, Nature, and Nations; being that Law, upon which we have aſſiſted You. And that the Souldiery may lawfully hold the hands of that Generall who will turn his Cannon againſt his Army, on purpoſe to deſtroy them: The Sea-men the hands of that Pylot, who wilfully runs the Ship upon the Rock, (as our Brethren of Scotland argued:) And ſuch were the proceedings of our Anceſtours of famous memory, to the purchaſing of ſuch Rights and Liberties, as they have enjoyed through the price of their Bloud, and we both by that and the latter Bloud of our dear Friends, and fellow Souldiers, with the hazard of our own, do now lay claim unto.

Nor is that ſupreme end (the Glory of God) wanting in theſe caſes

caſes to ſet a price upon all ſuch proceedings of righteouſneſſe, and Juſtice, it being one witneſſe of God in the world, to carry on a Teſtimony againſt the injuſtice, and unrighteouſneſſe of men, and againſt the miſcarriages of Government: when corrupted, or declining from their primitive and originall glory.

Theſe things we mention but to compare proceedings, and to ſhew, that we are ſo much the more juſtifiable and warranted in what we do, by how much we come ſhort of that height and meaſure of proceedings which the people in free Kingdoms and Nations, have formerly practiſed.

Now having thus far cleared our way in this buſineſſe, we ſhall proceed to propound ſuch things as we do humbly deſire, for the ſettling and ſecuring of our own, and the Kingdomes Right, Freedome, Peace, and ſafety, as followeth.

I. That the Houſes may be ſpeedily purged of ſuch Members; as for their delinquency, or for corruption, or abuſe to the State, or undue election, ought not to ſit there; whereof the late elections in Cornwall, Wales, and other parts of the Kingdome, afford too many examples to the great prejudice of the peoples freedome in the ſaid Election.

II. That thoſe perſons who have in the late unjuſt, and high proceedings againſt the Army, appeared to have the will, the confidence, credit, and power to abuſe the Parliament, and the Army, and indanger the Kingdome in carrying on ſuch things againſt us while an Army; may be ſome way ſpeedily diſabled from doing the like or worſe to us, (when disbanded, and diſperſed, and in the condition of private men) or to other the Free-born people of England, in the ſame condition with us, and that (for that purpoſe) the ſame perſons may not continue in the ſame power, (eſpecially) as Our and the Kingdomes judges in the higheſt Truſt, but may be made incapable thereof for future.

And if it be queſtioned who thoſe are, we thought not fit particularly to name them in this our repreſentation to you, but

ſhall very ſpeedily give in their names, and before long, ſhall offer what we have to ſay againſt them to your Commiſſioners, wherein we hope ſo to carry our ſelves, as that the world ſhall ſee we aim at nothing of private Revenge, or Animoſity, but that Juſtice may have a free courſe, and the Kingdome be eaſed; (at leaſt) by diſinabling ſuch men from places of Judicature, who deſiring to advantage & ſet up themſelves and their party, in a generall confuſion have endeavoured to put the Kingdome into a new flame of warre, then which nothing is more abhorrent unto us.

But becauſe neither the granting of this alone would be ſufficient to ſecure our Own, and the Kingdomes Rights, Liberties, and Safety, either for the preſent Age, or Poſterity; nor would the propoſall of this ſingly be free from the ſcandall and appearance of Faction, or deſigne onely to ſuppreſſe one party (under the notion of unjuſt, or oppreſſive:) that we may advance another, which may be imagined more our own; We therefore declare, that indeed we cannot but wiſh that ſuch men, and ſuch onely might be preferred to the great power and truſt of the Common-wealth, as are approved at leaſt for morall righteouſneſſe; and of ſuch we cannot but in our wiſhes preferre thoſe that appear acted thereunto by a principle of Conſcience and Religion in them, and accordingly we do and ever ſhall bleſſe God for thoſe many Worthies, who through his providence have been choſen into this Parliament: and to ſuch mens endeavours (under God) we cannot but attribute that vindication in part of the Peoples Rights, and Liberties; and thoſe beginnings of a juſt Reformation, wch the proceedings of the beginnings of this Parliament appeared to have driven at, & tended to, though of late obſtructed or rather diverted to other ends and intereſts by the prevailing of other Perſons, of other Principles and Conditions. But we are ſo far from deſigning or complying to have any abſolute arbitrary power, fixed or ſetled for continuance in

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any persons whatsoever; as that if we might be sure to obtain it, we cannot wish to have it so in the persons of any who we might best confide in, or who should appear most of our own opinions or principles, or whom we might have most personall assurance of, or interest in, but we do, and shall much rather wish, that the authority of this Kingdome in the Parliaments rightly constituted, free, equally, and successively chosen, according to its originall intention, may ever stand and have its course; and therefore we shall apply our desires chiefly to such things, as (by having Parliaments settled in such a right cõstitution) may give more hopes of Justice, and Righteousnesse, to flow down equally to all in that its ancient chanell, without any overture, tending either to overthrow that foundation either of order or government in this Kingdome, or to ingrosse that power for perpetuity, into the hands of any particular person, or party whatsoever. And for that purpose, though as we have found it doubted by many men (minding sincerely the publick good) but weighing so fully all consequences of things, it may and is not unlike to prove, that upon the end of this Parliament and election of a new, the constitution of succeeding Parliaments (as to the persons elected) may prove for the worse many waies, yet since neither in the purging of this present Parliament, nor in election of new, we can promise to our selves an assurance of Justice, or other positive good from the hands of men, but those that appear for present most righteous, and most for common good, (having an unlimited power fixed in them during life or pleasure) in time may become corrupt, or settle into parties or factions; or on the other side in case of new elections those that should so succeed, may prove as bad or worse then the former:

We therefore humbly conceive that (of two inconveniences the lesse being to be chosen) the main thing to be intended in the case (and beyond which humane providence cannot reach, as to any assurance of positive goods) seems to be this, *viz.*

to provide that however unjuſt and corrupt perſons of Parliament, in preſent or future, may prove, or whatever it be they may do to particular parties, or to the whole in particular things during their reſpective terms or periods, yet they ſhall not have the temptation or advantage of an unlimited power fixed in them during their own pleaſure, whereby to perpetuate injuſtice and oppreſſion upon any, without end or remedy; or to advance and uphold any one particular partie, faction, or intereſt whatſoever, to the oppreſſion or prejudice of the community, and the enſlaving of the Kingdome unto all poſterity; but that the people may have an equall hope or poſſibility, if they have an ill choice at one time, to mend it in another, and themſelves may be in a capacity to taſte of ſubjection as well as rule, and may be ſo inclined to conſider of other mens caſes, as what may come to be their own. This we ſpeak of in relation to the Houſe of Commons, as being intruſted on the peoples behalf, for their intereſt in that great and ſupreme power of the Common-wealth, (*viz.* the legiſlative power, with the power of finall Judgements) which being in its own nature ſo arbitrary, and in a manner unlimited, unleſſe in point of time, is moſt unfit and dangerous as to the peoples intereſt, to be fixt in the perſons of the ſame now during life or their own pleaſures, neither by the originall conſtitution of this State, was it, or ought it to continue ſo (nor doth it, where ever it is, and continues ſo) render that ſtate any better then a mere tyranny, or the people ſubjected to it any better then vaſſals: but in all ſtates where there is any face of common freedome, and particularly in this ſtate of England (as is moſt evident both by many poſitive lawes and ancient conſtant cuſtome) the people have a right to new and ſucceſſive elections, unto that great and ſupreme truſt, at certain periods of time, which is ſo eſſentiall and fundamentall to their freedome, as it cannot or ought not be denyed them this, without which the Houſe of Commons is of very little con-

concernment to the intereſt of the commons of England, yet in this we would not be miſunderſtood to blame thoſe worthies of both Houſes, whoſe zeal to vindicate the liberties of this nation, did procure that Act for continuance of Parliament, whereby it was ſecured from being diſſolved at the Kings pleaſure, as former Parliaments have been: and reduced to ſuch a certainty, as might enable them the better to aſſiſt and vindicate the liberties of this Nation (immediately before ſo highly invaded, and then alſo ſo much endangered) and this we take to be the principall ends and grounds, for which in that exigency of time and affairs it was procured, and to which we acknowledge it hath happily been made uſe of: but we cannot think it was by theſe worthies intended, or ought to be made uſe of to the perpetuating of that ſupreme truſt and power in the perſons of any, during their own pleaſures, or to the debarring of the people from their right and elections totally, now when thoſe dangers or exigencies were paſt and the affairs and ſafety of the Common-wealth would admit of ſuch a change.

Having thus cleared our grounds and intentions (as we hope) from all ſcruples and miſunderſtandings in what follows, we ſhall proceed further to propoſe what we humbly deſire for the ſettling of our own and the Kingdomes rights and liberties, through the bleſſing of God to poſterity, and therefore upon all the grounds promiſed, we further humbly deſire as followeth,

III. That ſome determinate period of time may be ſet for the continuance of this and future Parliaments, beyond which none ſhall continue, and upon which new Writs may of courſe iſſue out, and new elections ſucceſſively take place, according to the intent of the bill for Trienniall Parliaments.

And herein we would not be miſunderſtood, to deſire a preſent or ſudden diſſolution of this Parliament, but onely (as is expreſt before) that ſome certain period may be ſet for the de-

termining of it, ſo that it may not remain (as now) continuable for ever, or during the pleaſure of the preſent Members. And we ſhould deſire that the period to be now ſet for ending this Parliament may be ſuch as may give ſufficient time for proviſion of what is wanting, and neceſſary to be paſſed in point of juſt reformation and further ſecuring the rights and liberties and ſettling the peace of the Kingdome, in order to which we further humbly offer.

IV. That ſecure proviſion may be made for the continuance of future Parliaments, ſo as they may not be adjournable or diſſolvable at the Kings pleaſure, or any other wayes then by their own conſent during their reſpective periods: but all thoſe periods each Parliament to determine of courſe as before. This we deſire may be now provided for (if it may be) ſo as to put it out of all diſpute for future, though we think of right it ought not to have been otherwiſe before.

And becauſe the preſent diſtribution of Elections for Parliament Members is ſo very unequall, and the multitude of Burgeſſes for decayed or inconſiderable Townes (whoſe intereſt in the Kingdome, would (in many) not exceed or (in others) not equall ordinary Villages) doth give too much and too evident opportunity for men of power to frame parties in Parliament to ſerve particular intereſt, and thereby the common intereſt of the whole is not ſo minded, or not ſo equally provided for, we therefore further deſire:

V. That ſome proviſion may be now made for ſuch diſtribution of Elections for future Parliaments as may ſtand with ſome rule of equality, or proportion as near as may be, to render the Parliament a more equall repreſentative of the whole, as (for inſtance) That all Counties or diviſions and parts of the Kingdome (involving inconſiderable Towns) may have a number of Parliament men allowed to their choice, proportionably to the reſpective rates they bear in the common charges and burthens

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of the Kingdome, and not to have more; or some other such like rule.

And thus a firm foundation being laid in the authority and constitution of Parliament for the hopes at least of common and equall right and freedome to our selves and all the free-born people of this Land, we shall (for our parts) freely and chearfully commit our stock or share of interest in this Kingdome, into this common bottom of Parliament, and though it may (for our particulars) go ill with us in one voyage, yet we shall thus hope (if right be with us) to fare better in another.

These things we desire may be provided for by bill or Ordinance of Parliament: to which the Royall Assent may be desired. And when his Majestie (in these things and what else shall be proposed by the Parliament necessary for securing the rights and liberties of the people, and for settling the Militia and peace of the Kingdome) shall have given his concurrence, to put them past dispute; we shall then desire that the rights of his Majestie and his posterity may be considered of and settled in all things so far as may consist with the right and freedome of the subject, and with the security of the same for future.

VI. We desire, That the right and freedome of the people to represent to the Parliament by way of humble petition, their grievances, in such things as cannot otherwise be remedied then by Parliament, may be cleared and vindicated, that all such grievances of the people may be freely received, and admitted into consideration, and put into an equitable and speedy way to be heard, examined, and redressed, if they appear reall: and that in such things, for which men have remedy by law, They may be freely left to the benefit of law and the regulated course of justice, without interruption or check from the Parliament, except in case of things done upon the exigency of warre, or for the service and benefit of the Parliament and Kingdome in relation to the warre, or otherwise in due pursuance and execu-

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tion of Ordinances, or Orders of Parliament.

More particularly (under this head) we cannot but desire that all such as are imprisoned for any pretended misdemeanour, may be put into a speedy way for a just hearing and triall, and such as shall appear to have been unjustly, and unduely imprisoned may (with their Liberty) have some reasonable reparation according to their sufferings, and the demerit of their oppressours,

VII. That the large power given to Committees, or Deputy Lievtenants, during the late times of war, and distraction may be speedily taken into consideration: That such of those powers as appear not necessary to be continued may be taken away, and such of them as are necessary, may be put into a regulated way, and left to as little Arbitrarinesse as the nature and necessity of the things wherein they are conversant will bear.

VIII. We could wish that the Kingdome might both be righted, and publickly satisfied in point of Accounts for the vast summes that have been levied and paid, as also in divers other things wherein the common wealth may be conceived, to have been wronged or abused. But we are loth to presse any thing that may tend to lengthen out further disputes, or contestations, but rather such as may tend to a speedy and Generall composure and quieting of mens minds in order to peace, for which purpose we further propose.

IX. That publick justice being first satisfied by some few examples to posterity out of the worst of excepted persons, and other delinquents, having past their Compositions, some course may be taken (by a generall act of oblivion, or otherwise) whereby the seeds of future War or Fewds either to the present Age, or Posterity, may the better be taken away by easing that sence of present, and satisfying those fears of future ruine or undoing to persons or families which may drive men into any desperate wayes for self preservation and remedy, and by taking away the

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private remembrances and distinctions of parties, as farre as may stand with safetie to the Rights and Liberties we have hitherto fought for.

There are besides these) many particular things which we could wish to be done, & some to be undone; all in order still to the same end of Common Right, Freedome, Peace, and Safety. But these proposals aforegoing being the principall things we bottome and insist upon, we shall as we have said before for our parts acquiesce for other particulars in the wisedome and justice of Parliament. And whereas it hath been suggested or suspected that in our late or present proceedings our designe is to overthrow Presbitery, or hinder the settlement thereof, and to have the Independent government set up: We do clearly disclaim, and disavow any such design; we onely desire that according to the Declarations promising a priviledge for tender Consciences, there may be some effectuall course taken according to the intent thereof, and that such who upon Conscientious grounds may differ from the established forms, may not for that be debarred from the common Rights, Liberties or Benefits belonging equally to all as men and Members of the Commonwealth, while they live soberly, honestly, inoffensively towards others, and peacefully and faithfully towards the State.

We haue thus freely and clearly declared the depth and bottoms of our hearts and desires in order to the Rights, Liberties; and Peace of the Kingdome: wherein we appeal to all men whether we seek any thing of advantage to our selves, or any particular party whatever to the prejudice of the whole, and whether the things we wish and seek do not equally concern and conduce to the good of others in common with our selves, according to the sincerity of our desires and intentions, wherein as we have already found the concurrent sence of the people in divers Counties by their Petitions to the Generall, expressing

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their Resentment of these things, and pressing us to stand for the interest of the Kingdome therein, so we shall wish and expect to find the unanimous concurrence of all others that are equally concerned with us in these things, and wish well to the Publick.

And so (trusting in the mercy and goodnesse of God to passe by and help any failings or infirmities of ours in the carriage or proceedings thereupon) we shall humbly cast our selves and the businesse upon his good pleasure, depending onely on his presence and blessing for an happy issue to the Peace and good of this poore Kingdome, in the accomplishment whereof we desire and hope that God will make you blessed Instruments.

FINIS.